

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 5, 2019

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2019 JUN -5 A 8:34

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2019-00078

For approval and certification of electric
transmission facilities: Suffolk-Swamp 230 kV
Transmission Line #247, Virginia Rebuild Project

ORDER FOR NOTICE AND COMMENT

On May 16, 2019, Virginia Electric and Power Company ("Dominion" or "Company") pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*, filed an application ("Application") with the Virginia State Corporation Commission ("Commission") for approval and a certificate of public convenience and necessity ("CPCN") to rebuild approximately 11.1 miles of the existing 230 kilovolt ("kV"), overhead single circuit transmission Line #247.

Specifically, the Company seeks approval to: (i) rebuild, entirely within existing right-of-way or on Company-owned property, approximately 31.2 miles of its existing 230 kV transmission Line #247 on single circuit structures, of which 11.1 miles are located in the Commonwealth of Virginia (in the City of Suffolk) between the Suffolk Substation and the Virginia state line (which runs from Structure #247/1A through Structure #247/103), with the remaining portion of the line located in North Carolina; and (ii) perform minor work at the existing Suffolk Substation, including conductor work for line terminal rating upgrades and fiber installation for communication upgrades (collectively, the "Virginia Rebuild Project" or

1500619089

"Project"). Through its Application, the Company seeks approval of only the Virginia portion of the line.¹

Dominion represents that the proposed Virginia Rebuild Project will replace aging infrastructure that is at the end of its service life to comply with the Company's mandatory transmission planning criteria, thereby enabling the Company to maintain the overall long-term reliability of its transmission system.²

Dominion anticipates a December 30, 2022 in-service date for the proposed Project, subject to Commission approval and outage scheduling.³ The Company anticipates the proposed Project will cost approximately \$17.2 million, which includes \$17.1 million for transmission-related work and approximately \$0.1 million for substation-related work (2019 dollars).⁴

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board must consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As required by Section 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Wetland Impacts Consultation, the Commission's Staff ("Staff") has advised the Department of Environmental Quality ("DEQ"),

¹ Application at 2.

² *Id.* at 2-3.

³ *Id.* at 3.

⁴ *Id.* at 4.

acting on behalf of the State Water Control Board, that the Company filed its Application and that consultation is required.⁵

In addition to consultation on wetlands, Code § 56-46.1 G directs the Commission and DEQ to coordinate the environmental review of proposed electric facilities. Moreover, Code § 56-46.1 A provides for the Commission to receive and to consider reports on the proposed facilities from state environmental agencies. Accordingly, the Staff has requested DEQ to coordinate an environmental review of the Project by the appropriate agencies and to provide a report on the review.⁶

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Dominion should provide public notice of the Application; a procedural schedule should be established to allow interested persons an opportunity to file written or electronic comments and to request a hearing on the Application; interested persons should have an opportunity to participate in this proceeding as a respondent; and the Staff should be directed to investigate the Application and file a report containing its findings and recommendations thereon. We further find that a Hearing Examiner should be assigned to rule on any discovery matters that may arise in this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2019-00078.

⁵ Letter from Andrea B. Macgill, Esquire, State Corporation Commission, dated May 20, 2019, to David L. Davis, CPWD, PWS, Director, Office of Wetlands & Stream Protection, Department of Environmental Quality, filed in Case No. PUR-2019-00078.

⁶ Letter from Andrea B. Macgill, Esquire, State Corporation Commission, dated May 20, 2019, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2019-00078. DEQ anticipates filing final review comments on or before July 29, 2019. See letter from Bettina Rayfield, Department of Environmental Quality, dated May 29, 2019, to Andrea B. Macgill, Esquire, State Corporation Commission, filed in Case No. PUR-2019-00078.

(2) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),⁷ the Commission assigns a Hearing Examiner to rule on any discovery matters that may arise in this proceeding.

(3) A copy of the public version of the Application may be obtained by submitting a written request to counsel for the Company, David J. DePippo, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means. Copies of the public version of all documents also shall be available for interested persons to review in the Commission's Document Control Center, located on the First Floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

(4) On or before July 5, 2019, the Company shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (5) to all owners, as of the date of this Order, of property within the route of the line affected by the Application. This requirement shall be satisfied by mailing the notice to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by Code § 58.1-3100 *et seq.*

(5) On or before July 5, 2019, the Company shall publish in two (2) successive weeks the following notice, and sketch map showing the location of the proposed Project, as shown on

⁷ 5 VAC 5-20-10 *et seq.*

page 147 of the Appendix to the Application, as display advertising (not classified) in newspapers of general circulation in the City of Suffolk:

NOTICE TO THE PUBLIC OF
AN APPLICATION BY VIRGINIA ELECTRIC AND POWER
COMPANY FOR APPROVAL AND CERTIFICATION OF
ELECTRIC TRANSMISSION FACILITIES: SUFFOLK-
SWAMP 230 kV TRANSMISSION LINE #247 REBUILD IN
THE CITY OF SUFFOLK
CASE NO. PUR-2019-00078

On May 16, 2019, Virginia Electric and Power Company ("Dominion" or "Company") pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*, filed an application ("Application") with the Virginia State Corporation Commission ("Commission") for approval and a certificate of public convenience and necessity to rebuild approximately 11.1 miles of the existing 230 kilovolt ("kV") overhead single circuit transmission Line #247.

Specifically, the Company seeks approval to: (i) rebuild, entirely within existing right-of-way or on Company-owned property, approximately 31.2 miles of its existing 230 kV transmission Line #247 on single circuit structures, of which 11.1 miles are located in the Commonwealth of Virginia (in the City of Suffolk) between the Suffolk Substation and the Virginia state line (which runs from Structure #247/1A through Structure #247/103), with the remaining portion of the line located in North Carolina; and (ii) perform minor work at the existing Suffolk Substation, including conductor work for line terminal rating upgrades and fiber installation for communication upgrades (collectively, the "Virginia Rebuild Project" or "Project"). Through its Application, the Company seeks approval of only the Virginia portion of the line.

Dominion represents that the proposed Virginia Rebuild Project will replace aging infrastructure that is at the end of its service life to comply with the Company's mandatory transmission planning criteria, thereby enabling the Company to maintain the overall long-term reliability of its transmission system. Dominion anticipates a December 30, 2022 in-service date for the proposed Project, subject to Commission approval and outage scheduling. The Company anticipates the proposed Project will cost approximately \$17.2 million, which includes \$17.1 million for

transmission-related work and approximately \$0.1 million for substation-related work (2019 dollars).

Route for the Proposed Project

The proposed route for the Virginia Rebuild Project is located within an approximately 11.1-mile right-of-way currently occupied by an existing 230 kV transmission corridor. The existing transmission corridor right-of-way for the proposed route originates at the Company's existing Suffolk Substation in the City of Suffolk and heads slightly southwest for approximately 2.3 miles. The route then heads in a generally south direction for an additional approximately 8.8 miles, crossing Meadow Country Road, Skeetertown Road, Babbtown Road, White Marsh Road, Clay Hill Road, Carolina Road, Adams Swamp Road, and Deer Forest Road before reaching the Virginia state line. From Structure #247/1A within the Suffolk Substation to Structure #247/39 (approximately 4.1 miles), Line #247 shares the existing transmission corridor, which is approximately 185 feet wide, with existing Line #246. At Structure #247/39, the existing right-of-way narrows to 100 feet wide for the remaining approximately 7.0 miles to the Virginia state line (Structure #247/103).

For the proposed Project, Dominion proposes to replace 98 230 kV wood/wood pole equivalent H-frame structures and six 230 kV wood/wood pole equivalent three-pole structures supporting Line #247 with 101 230 kV weathering steel H-frame structures and three 230 kV weathering steel three-pole structures. The minimum proposed structure height is approximately 55 feet, the maximum proposed structure height is approximately 79 feet, and the average proposed structure height is approximately 65.8 feet, based on preliminary conceptual design, not including foundation reveal and subject to change based on final engineering design.

All distances and directions are approximate. A sketch map of the proposed route accompanies this notice. A more detailed map of the proposed route may be viewed on the Commission's website:

<http://www.scc.virginia.gov/pur/elec/transline.aspx>.

The Commission may consider a route not significantly different from the route described in this notice without additional notice to the public.

Copies of the public version of the Application and documents filed in this case also are available for interested persons to review in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

Copies of the Application and other supporting materials also may be inspected during regular business hours at the following locations:

Dominion Energy Virginia
Attention: Laura Meadows, Siting and Permitting
Specialist
10900 Nuckols Road, 4th Floor
Glen Allen, Virginia 23060

Ms. Nicole Ward
Current Planning Manager
442 West Washington Street
Suffolk, Virginia 23434

Copies of the public version of the Application may be obtained by submitting a written request to counsel for the Company, David J. DePippo, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Any person or entity may participate as a respondent in this proceeding by filing, on or before August 2, 2019, a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. A copy of the notice of participation as a respondent also shall be sent to counsel for the Company at the address set forth above. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. All filings shall refer to Case No. PUR-2019-00078.

On or before August 2, 2019, any interested person wishing to comment on the Company's Application shall file written comments on the Application with the Clerk of the Commission at the address set forth above. Any interested person desiring to file comments electronically may do so on or before August 2, 2019, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2019-00078.

On or before August 2, 2019, any interested person may request a hearing in this matter by filing an original and fifteen (15) copies of a request for hearing. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be addressed adequately without a hearing. All such requests for hearing shall be filed with the Clerk of the Commission at the address set forth above, or filed electronically by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Copies of any such filings shall refer to Case No. PUR-2019-00078.

A copy of any written comments, requests for hearing, and notices of participation simultaneously shall be sent to counsel for the Company at the address set forth above.

All documents filed in the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice may be viewed at <http://www.scc.virginia.gov/case>. A printed copy of the Commission's Rules of Practice and an official copy of the Commission's Order for Notice and Hearing in this proceeding may be obtained by the Clerk of the Commission at the address set forth above.

VIRGINIA ELECTRIC AND POWER COMPANY

(6) On or before July 5, 2019, the Company shall serve a copy of this Order for Notice and Comment on the following officials, to the extent the position exists in the City of Suffolk: the chairman of the board of supervisors; the mayor or manager (or equivalent official); and the

county, city, or town attorney. Service shall be made by either personal delivery or first-class mail to the customary place of business or residence of the person served.⁸

(7) On or before July 19, 2019, the Company shall file proof of the notice and service required by Ordering Paragraphs (5) and (6), including the name, title, and address of each official served with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(8) On or before July 19, 2019, the Company shall file with the Clerk of the Commission at the address set forth in Ordering Paragraph (7) a certificate of mailing of the notice to owners of property prescribed by Ordering Paragraph (4). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of this information.

(9) On or before August 2, 2019, any interested person may file written comments on the Application with the Clerk of the Commission at the address set forth in Ordering Paragraph (7). Any interested person desiring to submit comments electronically may do so on or before August 2, 2019, by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2019-00078.

(10) Any person or entity may participate as a respondent in this proceeding by filing a notice of participation on or before August 2, 2019. If not filed electronically, an original and

⁸ Service may also be made electronically if a locality has submitted a written request to the Company for electronic service, pursuant to the Commission's April 19, 2016 Order in Case No. PUE-2016-00039. *See Petition of Virginia Electric and Power Company, For a continuing waiver of 20 VAC-5-201-10 J of the Rules Governing Utility Rate Applications and Annual Informational Filings to permit electronic service to local officials upon request*, Case No. PUE-2016-00039, Doc. Con. Cen. No. 160420194, Order (Apr. 19, 2016).

fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (7), and the respondent shall serve a copy of the notice of participation on counsel to the Company at the address in Ordering Paragraph (3). Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2019-00078.

(11) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon such respondent a copy of this Order for Notice and Comment, a copy of the public version of the Application, and all materials filed by the Company with the Commission unless these materials already have been provided to the respondent.

(12) On or before August 2, 2019, any interested person may file a written request for hearing. If not filed electronically, an original and fifteen (15) copies of the hearing request shall be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (7), and a copy of the request for hearing also shall be sent to counsel to the Company at the address in Ordering Paragraph (3). Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be addressed adequately without a hearing. All requests for hearing shall refer to Case No. PUR-2019-00078.

(13) The Staff shall investigate the Application. On or before September 24, 2019, the Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of a Staff

Report containing its findings and recommendations. The Staff shall serve a copy thereof on counsel to the Company and all respondents.

(14) On or before October 8, 2019, the Company may file with the Clerk of the Commission and serve on the Staff and all parties any response in rebuttal to the Staff Report and any comments filed by interested persons in this proceeding.

(15) All documents filed in the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(16) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: Responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically, or by facsimile, on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to Staff.⁹ Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(17) This matter is continued.

⁹ The assigned Staff attorney is identified on the Commission's website, <http://www.scc.virginia.gov/case>, by clicking "Docket Search," and clicking "Search Cases," and entering the case number, PUR-2019-00078, in the appropriate box.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

David J. DePippo, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219; Vishwa B. Link, Esquire, Jennifer D. Valaika, Esquire, and Andrea D. Gardner, Esquire, McGuireWoods LLP, Gateway Plaza, 800 E. Canal Street, Richmond, Virginia 23219; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 North 9th Street, 8th Floor, Richmond, Virginia 23219. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.